

 <div style="text-align: center;"> STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES </div> <div style="text-align: center; font-size: 1.5em; font-weight: bold;">Policy and Procedure</div>		POLICY AND PROCEDURE NUMBER DPOL 04.01.021	PAGE 1 of 1
		EFFECTIVE DATE April 15, 1995	
SUBJECT Restraint of Passengers/Use of Force		SUPERSEDES	DATED
TITLE Alaska Marine Highway System	CHAPTER General Administration	APPROVED BY	

PURPOSE

To establish consistent guidelines for Alaska Marine Highway System (AMHS) vessel personnel to restrain an individual to prevent imminent harm to a vessel, crew or passengers or the individual concerned.

POLICY

All AMHS employees must act with deliberate care to protect the vessel, passengers and crew from harm without resorting to excessive force or violence. While AMHS employees are under a duty to exercise reasonable care for safe vessel operations and passenger safety, a simultaneous duty exists with respect to the individual being restrained. If an individual becomes harmful, dangerous or otherwise exhibits illegal behavior, the vessel master or his/her designee must determine whether restraint of the individual is necessary.

Except when immediate action is necessary to prevent imminent harm to the vessel, crew or passengers, a decision to restrain an individual must be made following consultation with the vessel master or his/her designated officer.

Restraint and use of force to restrain are only to be used as a last resort.

The vessel master, and crew member under their direction or individual crew members in the face of a clear and present danger have the authority to restrain an individual when the circumstance and facts of a particular situation would cause a reasonable person to believe that an individual has engaged in or is about to engage in behavior harmful or dangerous to the vessel, crew or passengers (including themselves), after alternative means of compliance with the law have failed.

The authority for use of force and restraint of an individual is only granted in emergency situations when there is no immediate access to the Alaska State Troopers or other law enforcement personnel.

AUTHORITY

AK Traffic & Criminal Manual, Chapter 81, art. 4, sec. 118.81330, 340, 350, 430 (3), (4).

IMPLEMENTATION RESPONSIBILITY

System Director, Alaska Marine Highway System